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**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:

INFINITY CAPITAL MANAGEMENT, INC.

Debtor.

Case No. 21-14486-abl  
Chapter 7

HASELECT-MEDICAL RECEIVABLES  
LITIGATION FINANCE FUND  
INTERNATIONAL SP,

Plaintiff,

v.

TECUMSEH-INFINITY MEDICAL  
RECEIVABLES FUND, LP,

Defendant.

Adversary Case No. 21-01167-abl

TECUMSEH-INFINITY MEDICAL  
RECEIVABLES FUND, LP,

Counter-Plaintiff,

v.

HASELECT-MEDICAL RECEIVABLES  
LITIGATION FINANCE FUND  
INTERNATIONAL SP; ROBERT E. ATKINSON,  
CHAPTER 7 TRUSTEE

Counter-Defendants.

**STANDARD DISCOVERY PLAN  
OR REQUEST FOR WAIVER  
FOR FILING DISCOVERY PLAN**

ROBERT E ATKINSON, CHAPTER 7  
TRUSTEE,

Counter-Plaintiff,

v.

TECUMSEH-INFINITY MEDICAL  
RECEIVABLES FUND, LP,

Counter-Defendant.

Pursuant to Rule 7026 of the Federal Rules of Bankruptcy Procedure and LR 7026 of the Local Rules of Bankruptcy Practice for the United States Bankruptcy Court for the District of Nevada, HAsSelect-Medical Receivables Litigation Finance Fund International SP (“Plaintiff”), Tecumseh-Infinity Medical Receivables Fund, LP (“Defendant”), and Robert E. Atkinson, Chapter 7 Trustee (“Trustee” and, collectively with Plaintiff and Defendant, the “Parties”) set forth the following:

**1. Discovery Plan**

☐ **Request for waiver of requirement to prepare a formal discovery plan.**

The parties certify that all discovery can be completed informally, without the need of court intervention and in conformance of the Standard Discovery Plan, and that the matter will be ready for trial within 120 days, or

☒ **A discovery plan is needed or useful in this case.** Check one:

☐ The parties agree to the standard discovery plan.

☒ The parties jointly propose to the court the attached discovery plan and scheduling order. *See* Exhibit A, Fed. R. Civ. P. Form 35: Report of Parties Planning Meeting, attached hereto.

☐ The parties cannot agree on a discovery plan and scheduling order. The attached sets forth the parties’ disagreements and reasons for each party’s position.

**2. Nature of the Case**

This adversary proceeding concerns the Parties’ respective rights, title, and interests in and to certain medical receivables.

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1 **3. Jury Trials:** Check one:

2 ☒ A demand for a jury trial has not been made.

3 ☐ A demand for a jury trial has been made pursuant to Fed. R. Civ. P. 38(b), and in  
4 conformity with LR 9015, but one or more of the parties does not consent to a jury trial pursuant  
5 to 28 U.S.C. § 157(e).

6 ☐ It is expressly understood by the undersigned parties they have demanded a jury  
7 trial pursuant to Fed. R. Civ. P. 38(b), and in conformity with LR 9015, and have consented to a  
8 jury trial pursuant to 28 U.S.C. § 157(e).

9 An original and two (2) copies of all instructions requested by either party shall be  
10 submitted to the clerk for filing on or before 7 days before the Trial Date.

11 An original and two (2) copies of all suggested questions of the parties to be asked of the  
12 jury panel by the court on *voir dire* shall be submitted to the clerk for filing on or before 7 days  
13 before the Trial Date.

14 **4. Additional Pleadings**

15 Are there any counterclaims, cross claims or amendments to the pleadings expected to be  
16 filed?

17 ☒ Yes

18 ☐ No

19 **5. Settlement Conference**

20 ☐ A settlement conference is requested.

21 While the Parties do not request a settlement conference at this time, they anticipate  
22 requesting a settlement conference following the completion of initial discovery.

23 **6. Trial**

24 Discovery cutoff shall be September 30, 2022.

25 The case should be ready for trial by January 2023 and should take 3-5 day(s).

26 **7.** All parties ☐ consent / ☒ do not consent to this court entering final judgment.  
27  
28

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DATED this 10th day of March 2022.

**SHEA LARSEN**

/s/ Bart K. Larsen  
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Las Vegas, Nevada 89134

*Attorneys for HASelect-Medical Receivables  
Litigation Finance Fund International SP*

**ATKINSON LAW ASSOCIATES LTD.**

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*Attorneys for Robert E. Atkinson, Trustee*

**GARMAN TURNER GORDON LLP**

By: /s/ Gabrielle A. Hamm  
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*Attorneys for Tecumseh-Infinity Medical  
Receivable Fund, LP*

**CERTIFICATE OF SERVICE**

1. On March 10, 2022, I served the following document(s): **STANDARD DISCOVERY PLAN ORREQUEST FOR WAIVER FOR FILING DISCOVERY PLAN**

2. I served the above document(s) by the following means to the persons as listed below:

☒ a. ECF System:

CLARISSE L. CRISOSTOMO on behalf of ROBERT E. ATKINSON  
[clarisse@nv-lawfirm.com](mailto:clarisse@nv-lawfirm.com), [bknotices@nv-lawfirm.com](mailto:bknotices@nv-lawfirm.com)

GERALD M GORDON on behalf of TECUMSEH-INFINITY MEDICAL RECEIVABLES FUND, LP  
[ggordon@gtg.legal](mailto:ggordon@gtg.legal), [bknotices@gtg.legal](mailto:bknotices@gtg.legal)

GABRIELLE A. HAMM on behalf of TECUMSEH-INFINITY MEDICAL RECEIVABLES FUND, LP  
[g Hamm@Gtg.legal](mailto:g Hamm@Gtg.legal), [bknotices@gtg.legal](mailto:bknotices@gtg.legal)

MICHAEL D. NAPOLI on behalf of TECUMSEH-INFINITY MEDICAL RECEIVABLES FUND, LP  
[michael.napoli@akerman.com](mailto:michael.napoli@akerman.com),  
[cindy.ferguson@akerman.com](mailto:cindy.ferguson@akerman.com); [catherine.kretzschmar@akerman.com](mailto:catherine.kretzschmar@akerman.com); [laura.taveras@akerman.com](mailto:laura.taveras@akerman.com); [masterdocketlit@akerman.com](mailto:masterdocketlit@akerman.com); [teresa.barrera@akerman.com](mailto:teresa.barrera@akerman.com)

ARIEL E. STERN on behalf of TECUMSEH-INFINITY MEDICAL RECEIVABLES FUND, LP  
[ariel.stern@akerman.com](mailto:ariel.stern@akerman.com), [akermanlas@akerman.com](mailto:akermanlas@akerman.com)

☐ b. United States mail, postage fully prepaid:

☐ c. Personal Service:

I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handling the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ d. By direct email (as opposed to through the ECF System): Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ e. By fax transmission:

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 1731 Village Center Circle, Suite 150  
 Las Vegas, Nevada 89134  
 (702) 471-7432

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Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. By messenger:

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 10, 2022.

By: /s/ Bart K. Larsen, Esq.

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kwyant@shea.law

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Litigation Finance Fund International SP*

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**DISTRICT OF NEVADA**

In re:  
INFINITY CAPITAL MANAGEMENT, INC.  
  
Debtor.

Case No. 21-14486-abl  
Chapter 7

HASELECT-MEDICAL RECEIVABLES  
LITIGATION FINANCE FUND  
INTERNATIONAL SP,  
  
Plaintiff,  
  
v.

Adversary Case No. 21-01167-abl

TECUMSEH-INFINITY MEDICAL  
RECEIVABLES FUND, LP,  
  
Defendant.

TECUMSEH-INFINITY MEDICAL  
RECEIVABLES FUND, LP,  
  
Counter-Plaintiff,  
  
v.  
  
HASELECT-MEDICAL RECEIVABLES  
LITIGATION FINANCE FUND  
INTERNATIONAL SP; ROBERT E. ATKINSON,  
CHAPTER 7 TRUSTEE  
  
Counter-Defendants.

**REPORT OF PARTIES' PLANNING  
MEETING PURSUANT TO  
OFFICIAL FORM 35 TO FED. R.  
CIV. P**

ROBERT E ATKINSON, CHAPTER 7  
TRUSTEE,

Counter Plaintiff,

v.

TECUMSEH-INFINITY MEDICAL  
RECEIVABLES FUND, LP,

Counter Defendant.

1. Pursuant to Fed. R. Civ. P. 26(f), a Rule 26 conference was held on December 13, 2021, and was attended by Bart K. Larsen, Esq. attended for Plaintiff HASelect-Medical Receivables Litigation Finance Fund International SP (“Plaintiff”), Michael D. Napoli, Esq. attended for Defendant Tecumseh–Infinity Medical Receivables Fund, LP (“Defendant”), and Clarisse L. Crisostomo, Esq. attended for Chapter 7 Trustee Robert E. Atkinson (“Counter Defendant”).

2. **Pre-Discovery Disclosures.** All parties will exchange by January 17, 2022 the information required by Fed. R. Civ. P. 26(a)(1).

3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

a. Discovery will be needed on all claims, counterclaims, and defenses raised through the pleadings.

b. Discovery requests and responses thereto may be served among the parties electronically by email using the same email addresses used by counsel for the parties for notice through the Court’s electronic case filing system.

c. All discovery shall be commenced in time to be completed by September 30, 2022.

d. A maximum of twenty-five (25) interrogatories may be served by each party to any other party. Responses are due thirty (30) days after service.

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e. A maximum of twenty-five (25) requests for admission by each party to any other party, exclusive of requests that seek solely to authenticate documents. Responses are due thirty (30) days after service.

f. A maximum of ten (10) depositions by each party. Each deposition limited to maximum of seven (7) hours of deposition time unless extended by agreement of parties.

g. Reports from retained experts under Rule 26(a)(2) shall be due by June 30, 2022. Rebuttal reports shall be due by August 5, 2022

h. Supplementations under Rule 26(e) due September 1, 2022.

**4. Other Items.**

a. The parties do not request a conference with the court before entry of the scheduling order.

b. The parties request a pretrial conference in December 2022.

c. The parties should be allowed until June 1, 2022 to seek leave to join additional parties and/or amend the pleadings. Responses to amended pleadings shall be governed by Rule 15(a)(3).

d. All potentially dispositive motions should be filed by October 31, 2022.

e. Settlement ☒ is ☐ is not likely to be enhanced by the use of a settlement conference. While the parties do not request a settlement conference at this time, they anticipate requesting a settlement conference following the completion of initial discovery.

f. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due from the parties by November 30, 2022.

g. The parties shall have fourteen (14) days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

The case should be ready for trial by January 3, 2023 and at this time, the trial is expected to take approximately three (3) days.

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DATED this 10th day of March 2022.

**SHEA LARSEN**

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